JUS PRIMATIALE:

OR, THE

Ancient Right and Preheminency

OF THE

SEE of *ARMAGH*,

Above all other

ARCHBISHOPRICKS

IN THE

Kingdom of *Ireland.*

Asserted by *O. A. T. H. P.*

Printed in the Year 1672.

Jordanus 545

Plunket Ol: Jus Primatiale. 8°. 1672.
This is the first Tract upon the famous controversy for renewed Primacy between the two Sees of Armagh & Dublin. Plunket's Tract was followed by a reply of Peter Talbot in 4° 1674. – they are both very rare.

The later work of Macmahon's Jus Primatiale Armacanum 4°. 1728, is considered as the best & most learned work upon this subject.

This question had been agitated as early as the time of Ricardus Radulphus L.B.P. of Armagh about 1370.

The Grenville Library

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To the Reader.

NOthing is or can be ſo fixed in my mind, or faſtned in memory of man ſo firmly, but that in a ſhort time it may be looſned out of the one, or by little and little, quite razed out of the other. It is therefore neceſſary, that memorable things ſhould be committed to Writing (the Witneſs of Time, the Light and life of Truth) and not wholly betaken to ſlippery memory, which ſeldom yieldeth a certain and authentick Reckoning: And herein our preſent time is of all

that ever was to future Posterity the most ungrateful; for they of former (though of not so flourishing time in Learning) to the great benefit of themselves, of us, and our Posterity, have faithfully and carefully Registred in Books, as well the sayings, as the doings, which were in their time, respectively thought worthy of note and observation. The consideration whereof, hath induced me, being of late in discourse with a person of Quality, and finding thereby that a difference was arisen between the Archbishop of Armagh, *and the Archbishop of* Dublin, *both of the Roman Catholick profession, concerning the*

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precedency of the ſaid SEES; *and having taken notice that the preſent practice of thoſe* SEES *in the perſons of thoſe who are of the Proteſtant Religion, made no ſuch difference, did give me ſome occaſion to believe, That perſons of Learning (ſuch as they are preſumed to be) would raiſe no Queſtion, but where there were ſome grounds for the ſame. This Curioſity powerfully allured me to look back to the Actings and Writings of former times, having ſome vacant hours;* Scribe ſapientiam tempore vacuitatis tuæ, *ſaith* Solomon; *and to redeem thereby (if I could) the Right of that Preheminency*

from the Worm of Oblivion, which often proveth to be the Mother of Ignorance; and therefore for your ſatisfaction in that point, I have written the ſmall enſuing Treatiſe, which I have cauſe to hope will put an end to that Queſtion; or at leaſt, will conduce much to the ending thereof, in the opinion of thoſe who ſtand indifferent; and ſhall conclude with this Requeſt, That either you believe I have truly Cited the Authorities therein mentioned, or that you Reſort to the Originals where you will find cauſe to doubt; and that you expect not in this Treatiſe *the ſtile of an* Orator *well verſed in the*

Engliſh

To the Reader.

English Tongue, wherein I acknowledge my weakness; but regard the substance of the subject matter in question, wherein onely I proposed to my self to give you satisfaction, and so remain

Your Friend

O. A. T. H. P.

JUS PRIMATIALE:
OR,
THE ANCIENT RIGHT OF THE SEE of ARDMAGH,
Asserted by *O. A. T. H. P.*

THE first occasion of the Difference between the Archbishop of *Ardmagh*, and the Archbishop of *Dublin*, concerning Precedency, and other points of Superiority and Jurisdiction, hapned in a Meeting of all the Archbishops and Bishops of the Roman Catholique profes-

on in the month of *June* 1670. in *Dublin*, when they were ſubſcribing a Remonſtrance of their Loyalty, to be preſented to his Excellency the Lord *BERKELEY*, each of them refuſing to ſubſcribe ſubſequently to the other; which Conteſtation did diſpleaſe many, both in this Kingdom, and in Foreign Countries, for the three enſuing Reaſons.

Firſt, They are, and were in a Countrey governed, and for the moſt part inhabited by thoſe of a contrary profeſſion.

Secondly, Prelates of the Church in giving Honour, ought one to go before the other, not in ſeeking Honour.

Thirdly, That Archbiſhops and Biſhops

Biſhops ſhould increaſe their Reputation by Modeſty, and not by Ambition.

I confeſs theſe to be good and ſound Reaſons, and ought to move the Eccleſiaſtical Superiors to all Modeſty and Humility, conſiſtent with the Honour and Juriſdiction of the Prelacy they exercile, but to prejudice the Dignity of the SEE committed to their Charge, and alſo their Succeſſors would render them odious to all Poſterity, and argue Breach of Truſt, and Weakneſs in them; and therefore from the very time of the Apoſtles to this day, both Eccleſiaſtical and Secular Superiors, ſtrived to maintain the Right of the Dignities and Offices impoſed on them. It is too well known to all thoſe who read Eccleſiaſtical Hiſtories, that in moſt of all

the General Councils and National Synods, ſuch Variances hapned; and that in the laſt General Council held at *Trent*, much time was ſpent in ſetling ſuch Differences between Biſhops, Prelates, and Embaſſadors of divers Kings and Commonwealths, as appeareth by undoubted Records. Moreover, from perſons of Credit (who have been in *Rome*) I have heard, that for many Years, Strifes concerning Precedency continued between the Prelates, called *Auditores Rotæ*, and the Prelates, called *Clerici Cameræ*, until at laſt *Alexander* the Seventh decided the matter in favour of the *Auditores Rotæ*. Even in the very Pope and Cardinals preſence, the General of the *Dominicans*, Father *Marini*, endeavoured to get the firſt place from *Monſignore Celſi*: And in *Paris*, about five Years ſithence (a thing

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apparent to the whole World) Cardinal *Chigi*, who was then Pope *Alexander* the Seventh his Legate, declared, That he would not make his Publick entrance into *Paris*, unleſs he had obtained Precedency from the *French* King's Brother; whereby you may collect, That all do endeavour not to ſuffer their Dignity or Succeſſors to be damnified, which nevertheleſs ought to be performed *ſalva ſemper charitate, & cum moderamine inculpatæ tutelæ.*

And, as I was informed by the perſon of Quality who was preſent at the aforeſaid meeting, the Lord Primate made a fair and peaceable offer to the Archbiſhop of *Dublin*, whereas he remitted the deciſion of that Controverſie to the other Archbiſhops and Biſhops, and aſſured the Archbiſhop of *Dublin*, That

he would ſtand to their Arbitrement; but my Lord Archbiſhop would not accept thereof, or liſten unto any moderate advice of Reaſon, which makes me call to mind that there are many, who, *quidquid volunt, valdè volunt*, eſpecially when they have any colour for their pretended Right; and therefore his Lordſhip did chooſe rather to write to *Rome* his Reaſons, than to have them diſcuſſed by his Brethren; whereof my Lord Primate being informed, he ſent likewiſe to *Rome* the Motives and Reaſons the SEE of *Ardmagh* had for its Superiority over all the Archbiſhops, and Clergy of *Ireland*: Both their Writings being peruſed by the Popes Secretary *Mountſignore Baldeſchi* Archbiſhop of *Cæſarea* (as a credible Author related unto me, who was then preſent) the ſaid Secretary ſpoke theſe words,

words, *L' Armacano ſta a cavallo*: (that is to ſay) That his Reaſons were more prevalent: And, in my opinion, the Archbiſhop of *Cæſarea* delivered a true ſentence.

For the Primate hath as much Authority to exerciſe his Juriſdiction over all the Archbiſhops of *Ireland*, as my Lord of *Dublin* had, or hath over the Biſhops, and Suffragants of the Province of *Leinſter*; whereas the Bulls of the Popes granted to the Primates Predeceſſors, and in the Bull *Clement* the Ninth gave him, theſe following words are included, *Te Primatem Regni Hiberniæ conſtituimus, & ad Eccleſiam totius Regni Primatialem promovemus*. Which expreſſions, or the like, the Archbiſhop of *Dublin* had not in his Bulls, nor ever had; and therefore, without perverting the whole Order and Hierarchy of the Church, neither

neither he, or any other can deny Juriſdiction and Superiority to the Church of *Ardmagh* over all the Archbiſhops of *Ireland.*

For Prieſts are Under-Biſhops, Biſhops are ſubject to Archbiſhops, Archbiſhops are governed by Primates, Primates do obey the Patriarchs, and Patriarchs are commanded by the Popes, Succeſſors of St. *Peter*, and Vicars of Chriſt on earth: And as Biſhops, and Archbiſhops, are not inſignificant words, and *Tituli ſine re*; ſo neither are Primates of whole Kingdoms, who have the Title, the Dignity and Juriſdiction, as ever *Ardmagh* had over all *Ireland* for the ſpace of 850 Years (*viz.*) from the coming of St. *Patrick* into *Ireland*, until Cardinal *Parparo*, Legate unto *Eugenius Tertius* his Synod kept at *Kells* in the Year 1152, and until *John Leach* was Elected

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Archbiſhop of *Dublin*; which, I think, I can demonſtrate moſt clearly by ſufficient Authority.

Jocelinus in the Life of St. *Patrick*, cap. 165. writeth, *Cathedram Archiepiſcopalem in eadem urbe collocavit, ut ſedes illa totius Hiberniæ eſſet Primaria, Metropolis, & magiſtra animo ſtatuit:* And in the Chapter 166. *Armachiæ Metropolitanam Eccleſiam ad animarum ſalutem, & urbis, patriæque ſalutem munivit.* And *Gerraldus Cambrenſis* writeth to the like purpoſe in his deſcription of *Ireland*, *Baptizatis catervatim populis, & tota jam inſula ad fidem converſa apud Armachiam ſibi ſedem elegit, quam quaſi Metropolim conſtituit, & proinde totius Hiberniæ Primatis locum.* All this is clear in theſe Authors; but no leſs evident, and with greater Authority in St. *Bernard*, well verſed, and acquainted with the Eccleſi-

cleſiaſtical Affairs, eſpecially of *Europe*, who witneſſeth in divers Epiſtles and Writs, of the Prerogatives given to the SEE of *Armagh*, and eſpecially in his Treatiſe, *de Vita Sancti Malachiæ*; where he ſaith, That the SEE of *Armagh* was in ſuch veneration for the reſpect given to St. *Patrick*, *That all were ſubject to the Metropolitan thereof: Et unus ipſe præfuit omnibus.* This Treatiſe being read, you ſhall note therein three Things which are remarkable: Firſt, he calleth the Archbiſhoprick of *Armagh*, *Sedem Primam*; and the Archbiſhop thereof, *Pontificem, ac Metropolitanum totius Hiberniæ.* The ſecond is, That the Biſhops, and Clergy of all *Ireland*, were ſubject to *Armagh*. Laſtly, This their ſubjection had a long continuance, and was deduced from the firſt Erection of the SEE of *Armagh*,

Armagh, until St. *Bernard*'s time, until *Eugenius tertius* his time, and until the Advent of Cardinal *Parparo* into *Ireland*; that is to ſay, about Seven hundred and odd Years together without Interruption, ſo long the Primates Predeceſſors had Juriſdiction and Superiority over all parts of *Ireland*.

Neither can you Object, That all were ſubject to the See of *Armagh*, before they had other Archbiſhops; but when Cardinal *Parparo* erected other Archbiſhopricks, then the Archbiſhops were no more under the See of *Armagh*.

I anſwer firſt, That alſo the Archbiſhops are under the Primate by the firſt *Con. diſt.* 99. *Debent ergo obedientiam Primatibus Archiepiſcopi in omnibus, quæ eis fuerint juſtè imperata*; but of their ſubjection to the Primate, we will diſcourſe

more, when we will answer other Objections.

I answer secondly, That before Cardinal *Parparo* came into *Ireland*, there was another Archbishoprick erected by *Celsus* in the eleventh *Century*, or thereabouts, as St. *Bernard* writes, who lived in them times; *Erat & altera sedes Metropolitica, quam de novo constituerat Celsus.* This other newly erected, as near as I could gather, was *Cashell*; for in the Year Eleven hundred and eleven, *Celsus* had a most famous National Synod of all the Clergy of *Ireland*; and, as the Annals of *Connaught* do tell us, *Milerus O Dunan* Archbishop of *Cashell*, was present at the said Synod; that is to say, Forty Years before Cardinal *Parparo's* coming to *Ireland*, and consequently before *Dublin* had an Archbishop; and therefore the

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Archbiſhoprick of *Dublin* is younger than that of *Caſhell*. Let it be *Caſhell* or *Dublin*, it imports not much to the point now debated, whatſoever it was, St. *Bernard* concludes his ſentence thus, *Primæ tamen ſedi, ac illius Archiepiſcopo ſubdita tanquam Primati.*

It is here to be Noted, That St. *Malachias* went to Pope *Innocent* the ſecond, to get the *Pallium* for the SEE of *Armagh*, and for that other Metropolitan SEE newly erected by *Celſus*; *Innocent* having confirmed the new SEE, ſaid, *De Palliis oportet ſolemnius agi*, as St. *Bernard* writes in the Life of St. *Malachias*; who alſo ſaith in the ſaid Life, That *Malachias* going the ſecond time to *Rome* (*Eugenius Tertius* being Pope) to procure the ſaid *Palls*, dyed at *Claravall*. It cannot be imagined, that St. *Malachias* would take ſo

much labour to procure a *Pallium* for another SEE, if the procuring of it would diminish, or prove prejudicial to the Superiority or Jurisdiction of his own SEE of *Armagh*; out of which you may infer, That the erection of new Metropolitans did no prejudice to *Armaghs* preheminency, but did rather augment it, and made *Armagh* a Legal and Canonical Primate; whereas the Canons do determine that a Primate ought to have under him three Archbishops.

I answer finally, That for the space of One hundred and fifty seven Years (that is to say) from Cardinal *Parparo's* Synod at *Kells*, until *John de Leach* Archbishop of *Dublin* his election: We read not of any Incroachment made upon the Primate by such as sate in the SEE of *Dublin*, All continued their Acknow-

knowledgments and due Reſpects to the Primates Predeceſſors; ſo that firſt *John Leach*, or *de Leck* Almoner to King *Edward* the ſecond; and next *Alexander Bicknor*; and finally, *George Browne* in *Edward* the 6th's Reign, were thoſe, who did ſtrive to pull down the Primatical Authority of the Archbiſhops of *Armagh*; and what end their unlawful proceedings have had, I will ventilate after the ponderation of *Urban* the fourth his Bull, which now I will produce.

In the Year 1263. *Urban* the fourth directed a Bull dated in *November* in the ſame Year, to *Patrick ô Scanlain* a Dominican, Tranſlated from the Biſhoprick of *Raphoe*, to the Archbiſhoprick of *Ardmagh*, in theſe words: *Primatiam vero totius Hiberniæ quam Prædeceſſores tui uſque ad hæc tempora in-*

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concuſſè habuiſſe noſcuntur ad exemplar Celeſtini Papæ Prædeceſſoris noſtri tibi, tuiſque Succeſſoribus authoritate Apoſtolica confirmamus, ſtatuentes ut Hiberniæ Archiepiſcopi, Epiſcopi, & alii Prælati tibi, & Succeſſoribus tuis tanquam Primati *obedientiam, ac reverentiam omni tempore debeant exhibere.* Theſe words are ſo ſignificant, and ſo clear for the confirmation and eſtabliſhment of the SEE of *Armagh*'s Superiority and Juriſdiction over the whole Clergy of *Ireland*, that nothing more could or can be deſired, or expected, if we conſider and ponderate each part of *Urbans* Bull. *Urban* gives to the ſaid *Patrick Primatiam*; not of the Province of *Armagh* onley, but, *Totius Hiberniæ quam Prædeceſſores tui uſque ad hæc tempora inconcuſſe habuiſſe noſcuntur*; ſo that they had and enjoyed it from

St.

St. *Patricks* time, until *Urbans*; that is to say, for Eight hundred and odd Years, *inconcusse*, without any violent perturbance, moleſtation or hindrance, *ad exemplar Celeſtini Papæ*; ſo that *Urban* confirmed the Primacy to *Patrick ô Scaulain*, as *Celeſtinus* granted it to St. *Patrick* (that is to ſay) with ample Juriſdiction over all, as St. *Patrick* had it: *Statuentes ut Hiberniæ Archiepiſcopi, Epiſcopi, & alii Prælati tibi, & Succeſſoribus tuis, tanquam Primati obedientiam, & reverentiam omni tempore debeant exhibere.* *Urban* commanded not that the Archbiſhop or Biſhop of *Caſhell*, or of *Tuam*, ſhould render him Obedience; but that all Archbiſhops, and Biſhops of *Ireland*, ſhould, and are bound to give him Obedience and Reverence; and not to him onely, but alſo, *Succeſſoribus*: that is, to all his Succeſſors; and not as to an

Archbiſhop, but *tanquam Primati*, as to a Primate, who ought by the Law and Cuſtom of the Church to have Archbiſhops under him; neither are the Clergy of *Ireland* bound to obey the Primate for Ten or Twenty Years, but *omni tempore*, at all times, and in all places, *Obedientiam & reverentiam exhibere debeant*; they are bound to obey. Obſerve, That it is not an act of Civility, but of Obligation; and he who is bound to Obedience, ought to obſerve, and fulfill theſe things.

Firſt, To give his Superior Reſpect and Reverence due to his preheminency.

Secondly, To receive his Commands, and perform them.

Thirdly, To undergo his Judgment with Humility.

All Archbiſhops, and Biſhops of *Ireland*, by Pope *Urbans* Bull, do enter

ter theſe threefold Obligations, *omni tempore*, in all time, and places: Neither is the Archbiſhop of *Dublin* exempted from it, more than the Archbiſhop of *Tuam*, who could pretend the ſame exemption with as great Reaſon as the Archbiſhop of *Dublin*; and if every Archbiſhop of *Ireland* will challenge it, what Prerogative is reſerved to the Primate, more than to all Archbiſhops? doubtleſs there is none; and ſo the large Declarations paſt for the Primate by *Urban*, and other Popes, in moſt ſignificant lines, muſt all be frivolous and fruitleſs upon ſuch weak tergiverſations, although they have for ſo many Hundred Years from St. *Patrick*, to *Urbans* time, kept their preheminency over all the Clergy of *Ireland*, and truly with great applauſe and eſtimation, as appeareth by the explication of King *Edward*

the third, and *Henry* the fourth, under their broad Seals.

Now it is fit to diſcourſe of the ambitious endeavours of three Archbiſhops of *Dublin*, *John Leach*, or *de Leck*; *Alexander Bicknor*, and *George Browne*, who did ſtrive to diminiſh as the two firſt, or to pull down abſolutely as the third, the Right and Prerogative of the SEE of *Armagh*, eſtabliſhed for ſo many Hundred Years, confirmed by Popes and Kings, accepted of by all the Clergy of *Ireland*, granted by all the World; to which, if quiet poſſeſſion, if preſcription of ſo many Centuries give any juſt Title, they had more right to it than any Nobleman, or Gentleman in the World hath to the Lands he poſſeſſeth this day. I will begin with *John Leach*, who was the firſt that conteſted with the Primates.

In

In the year 1309. *Rolande de Jorſe* Archbiſhop of *Armagh*, and Primate of all *Ireland*, being at Parliament at *Kilkenny*, was encounter'd by the ſaid *John Leach*, not for precedence, which would not be omitted in the Chronicle: but for bearing his Croſs before him in *Leinſter*, which *Rowland* was authorized to do by the ancient Cuſtom, by the Canons, and by the above mentioned Pope *Urbans* Bull, who gave him Juriſdiction over all the Clergy of *Ireland*, in all times, and places: But, leaſt the Archbiſhops of *Dublin* ſhould pleaſe themſelves too much with the turbulent Conteſtation of the ſaid *John Leach*, againſt the Primates Prerogative of carrying the Croſs before him in *Leinſter*, let them read the Hiſtories, and they will find that *Edward* the third, in the Year 1348, com-

manding that the ancient Cuſtoms ſhould be obſerved, writ Letters to that Learned man *Richard*, Archbiſhop of *Armagh*, that he ſhould carry his Croſs before him in any part of *Ireland:* The ſaid *Richard* did it in *Dublin* three dayes together, and Excommunicated the Prior of *Kilmainham*, who afterwards was abſolved by him, and promiſed obedience.

Next to *John Leach*, ſucceeded in the Archbiſhoprick of *Dublin*, and alſo in Ambition, *Alexander Bicknor*, who ſeeing himſelf firſt Lord Treaſurer, and ſubſequently Lord Juſtice, depoſiting all Reaſon, and all Canonical proceeding, ſtrived to remove the ancient bounds ſet by Cuſtom and Authority, uſing Ryots and Violence to extinguiſh the Primates Authority; yet all his Greatneſs, all his Force

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and Arms, and all his unlawful practiſes did not avail him; for the Primate did exerciſe Juriſdiction in *Dublin* in the Archbiſhops own Conſiſtory, and Learned *Richard* carried his Croſs before him in *Dublin*, and afterwards there were many who appealed from the Conſiſtory of the Archbiſhop, to the Primates Court; for proof whereof, I pray read the Book Dr. *Dudley Loftus*, one of the Maſters of the Chancery, writ concerning the Caſe of *Ware* and *Sherley*; in which Book *folio* 80, he brings the Caſe of a Woman called *Alſoone*, who appealed from the ſentence of the Metropolitan Court of *Dublin*, to the Primatical Court of *Armagh*; *John Bole* then Primate, iſſued a Commiſſion to *James Leach*, to hear and determine the Cauſe of the ſaid Appeal; who having fully heard

heard both Parties, reverſed the ſentence given by the Metropolitan Court of *Dublin* againſt the ſaid *Alſoone*: And though Dr. *Loftus* be of ſuch Learning and Erudition, and Integrity, that none ought to doubt of what he cites or alledges; yet, for my greater ſatisfaction (being ſtill accuſtomed to take my water from the fountain) I have turned the Leafs of the Regiſtry, and have read the ſaid Appeal and Sentence, given in the Caſe of the ſaid *Alſoone*, juſt as Dr. *Loftus* inſerteth it in his ſaid Book. Now I ask you, Can the Archbiſhop of *Dublin* pretend Precedency from the Primate, who was, and is ſtill ſuperior to the Archbiſhop of *Dublin*? *Appellatio eſt receſſio à minori poteſtate per invocationem majoris poteſtatis.* Certainly there is no power but from God, therefore he who reſiſts

reſiſts Power, ſubverts the Ordinance of God, and he will find it difficil, *Contra ſtimulum calcitrare.*

Neither is the Preheminency of the Archbiſhops of *Armagh*, in receiving or admitting Appeals made from the SEE of *Dublin* to them, a new buſineſs, it was a Prerogative confirmed by many Popes, and eſpecially by *John* the 22*d*, at the Suit of *Nicholas* Archbiſhop of *Armagh*, whoſe words are theſe: *Quod cum in partibus Hiberniæ ad ſedem Apoſtolicam ex quacunque cauſa hactenus appellari contingit, ſeu appellatur de præſenti, hujuſmodi appellantes ad eandem ſedem directe, nec non ad Archiepiſcopo palem Curiam Armachanam cutorie appellarunt, & appellant.* Note them words, *Ex partibus Hiberniæ*; the Pope doth not ſay, *Ex una, vel altera parte ſed indefinite ex partibus*; ſo *qui nullam*

excipit (especially when the matter is not exorbitant from Law) *omnes includit.*

Here I desire that word *tutorie* to be considered, and that I be satisfied in two Doubts.

First, What Tutory, Defence, or Protection, the Primate can give to those of *Leinster*, unless he hath greater power over them, than the Archbishop of *Dublin*, and unless he be his Superior there?

Secondly, With what Congruity the Archbishop of *Dublin* can have Precedency from his Superior?

I think it is now time to shew to the World the temerarious attempt of *George Browne*, who puffed with Ambition, did strive to pull down, destroy, and utterly extinguish the power and prehemineney erected by St. *Patrick* in *Armagh*, and for so many Hundred years

years ſtanding, held up by Popes Decrees, and Kings Patents: Such Attempts the Patriarchs of *Conſtantinople* have undertook (though they were the youngeſt of all the Patriarchs of the Orient) to deſtroy with ſeveral Tempeſts, to loſs, and (if they could) to ſink the St. *Peters* ſhip; but, *fluctuat, ac nunquam mergitur illa rates:* This unquiet man, by the help of the then Lord Lieutenant of this Kingdom, for the better eſtabliſhment of other Innovations in greater matters then contrived, procured a Grant from King *Edward* the Sixth in the Month of *October* 1551. Annexing the Primacy of *Ireland* to himſelf, and unto his Succeſſors in the SEE of *Dublin:* But mark now Gods Providence; Two years after, Queen *Mary* being well informed, That the ſaid Office and Dig-

nity had continued Eleven hundred years in the poſſeſſion of the Primates of *Armagh*, and was againſt all courſe of Juſtice, and without any good foundation or ground brought to the SEE of *Dublin*, Her Majeſty cauſed the ſaid Archbiſhop of *Dublin* to conceal his ill ſhaped Grant, and to deliver it ſo to the Chancery to be kept with a *Vacat* on it, as a Record or Monument of his vain affection and preſumption. Judge now of the Archbiſhops Right to Precedence by the Archbiſhops own act; if he did undertake ſo deſperate a courſe to gain Precedence, he could claim no Right thereunto; otherwiſe, if he aimed at more than Precedence, then muſt his Right to Precedence be ſo much the leſs.

Out of all that is hitherto alledged, in my weak judgment it is moſt

moſt evident, That the SEE of *Armagh* did quietly enjoy the Preheminency and Juriſdiction over all Archbiſhops of *Ireland*, from St. *Patrick*, to Cardinal *Parparo* his Synod at *Kells* (that is to ſay) for Seven hundred years; and from Cardinal *Parparo*, who, by Pope *Eugenius* the third his Authority declared *Gregory*, then Biſhop of *Dublin*, Archbiſhop, to *John Leach* his time, (that is to ſay) for 150 years, the Archbiſhop of *Dublin* gave not the leaſt trouble to the Primates Authority: And though the three above-named Archbiſhops of *Dublin*, did attempt to diminiſh, and likewiſe to demoliſh the Primacy; yet all their ambitious endeavours came to nothing, and inſtead of Honour they gained Infamy, and Rebukes, as appeareth by Queen *Maries* Act in favour of *George*

Dowdall, who was the laſt Primate elected by the Pope, and publickly and openly exerciſed Juriſdiction in this Kingdom.

After *George Dowdalls* death, which hapned in *London* in *Auguſt* 1558. there were Primates elected by the Pope, and ſome of them moſt Learned men, whereof ſome came into *Ireland*, ſome did not: *Richard Creagh* of *Lymericke*, dyed in the Tower of *London*; *Thomas Lombard* of *Waterford*, a moſt erudite man, left his Bones at *Rome*; and ſo did *Hugo Cavellus*, a moſt eminent Divine, as his Commentaries on *Scotus* do demonſtrate. *Hugh O Reyly*, a man well verſed in Canon Law, came to *Ireland*, and ended his dayes in the County of *Cavan*. After him, came *Edmund Realy*, a man of a good mother-wit, but no extraordinary Learning.

Being

Being called out of this Kingdom, he went to *Rome*; but Pope *Alexander* the Seventh (who named him Primate) having underſtood that he was too buſie in State Affairs, and in Temporal, or Civil matters, commanded him away from *Rome*; after few years, he fell ſick in *France*, and there was buried: So that the Primates elected by the Popes, being under a Cloud in the Reigns of Queen *Elizabeth*, King *James*, and King *Charles* I. ſtrived rather to eſchew the Statutes of *Præmunire*, than to conteſt about Precedency, and points of Juriſdiction; and ſcarce did they ever meet together in a National Synod, until the *Nuncius Rinuccini* came to *Ireland*; then all our Archbiſhops, and Biſhops, aſſembled at *Kilkenny*, and there *Hugh O Rely* in the National Synod, took place of *Thomas Fleming*

Fleming Archbiſhop of *Dublin*, Brother to my Lord of *Slane*; and it is well known, that *Kilkenny* is in the Province of *Dublin*. The ſaid *Hugh Ó Realy*, about the time of the Ceſſation concluded with the Earl of *Inchiquin*, being at a great Congregation of the Clergy in *Caſhell*, without any Contradiction, preſided, and took the firſt place from the Archbiſhop of *Caſhell*, and from all the Aſſembly there.

It is much to my purpoſe, to conſider what the Proteſtant Primates, and Archbiſhops, elected by Queen *Elizabeth*, King *James*, King *Charles* the Firſt, and King *Charles* the Second have done in this matter; Have they changed the old Cuſtom of the SEE of *Armagh*? Have they granted Precedency to their Archbiſhops of *Dublin* over their Primates in *Dublin*?

lin? It is moſt clear, moſt certain and evident they have not: They obſerved all things concerning that matter inviolably as they found them in Queen *Maries*, and in her Predeceſſors Reigns, which I can palpably demonſtrate.

Some few Years after *George Dowdalls* death, Queen *Elizabeth* gave the Primacy to Dr. *Adam Loftus*, a wiſe man, and of high ſpirit, who took Precedence from their Archbiſhops of *Dublin* in *Dublin*, and ſigned before them in the Counſel Book. On the other ſide, when the ſaid *Adam Loftus* was removed by the Queen from *Armagh* to *Dublin*, he gave Precedence to *Thomas Lancaſter* then their Primate, and ſigned ſubſequent to him. All his Succeſſors did imitate *Loftus* his ſteps, and way of proceeding, though ſome of them were collocated in as

ample a Dignity concerning the management of publick Affairs of this Kingdom, as ever *Alexander Bicknor* aſpired unto. And if you view the man who this day ſits in the SEE of *Dublin* by the preſent Kings Election, Dr. *Michael Boile*, he was one of the Lords Juſtices of this Kingdom, he is Lord Chancellor, a man of profound Underſtanding, quick Judgment, Dexterity in deciding Cauſes, unſpotted Integrity in Adminiſtration of Juſtice, a fit Miniſter for any Monarch in *Europe*; yet he obſerves the old and ancient Cuſtom, he gives Precedence to his Primate. On the other ſide, Dr. *James Margetſon* now Proteſtant Primate, is of ſuch Judgment and Moderation, That he would not accept of any Prerogative which was not due to him, and to his Predeceſſors, from Queen *Eliza-*

Elizabeths Reign to this day, to our confuſion; who imitating *John de Leach*, *Alexander Bicknor*, and *George Browns* unlawful Attempts, do ſeek to deſtroy what Preſcription, what Cuſtom and Tradition of Twelve hundred Years have eſtabliſhed. What was the greateſt Argument *Tertullian* had againſt the Hereticks of his time, but the Preſcription of ſome few hundred Years? What ſtronger Motive have we, or ever had againſt *Arrius Macedonius*, *Neſtorius Euthiches*, the *Iconoclaſts*, *Photius Beringorius*, *Wickleſ Hus*, *Luther*, *Calvin* and *Zuinglius*, then Preſcription, then Tradition. In the very Council of *Nice*, neither at *Conſtantines* Interceſſion would the Fathers ventilate the point then in queſtion of the Divinity of Chriſt, but by Cuſtom, Preſcription, and Tradition. This

point of Tradition, of Preſcription and Cuſtom, was moſt Sacred in thoſe dayes, according to this Rule of Cuſtom, the Holy Fathers at *Neece* have ſo provided for the Patriarch of *Jeruſalems* honour, that no derogation ſhould thereby accrue to another SEE, which was preferred formerly. *Quoniam mos antiquus obtinuit, & vetuſta traditio ut Eliæ (id eſt) Jeroſolymorum Epiſcopo honos deferatur, habeat honorem, manente tamen Metropolitanæ Civitatis propria dignitate Nicen. Con. Can. 7.*

The like reſpect was obſerved in the firſt general Council of *Conſtantinople, Can. 2. Alexandriæ Epiſcopi ſolius Orientis onram gerant ſervatis honoribus Primatis Eccleſiæ Antiochenæ es qui in regulis Nicenæ Synodi continentur.* You ſee how they ſtuck to the old Cuſtom, to Preſcription and Tradition. What

are

are the ſtrongeſt Arguments we have theſe Two hundred Years, againſt thoſe who do impugn the Faith we profeſs, and the Ceremonies in the miniſtration of Sacraments we uſe, but Cuſtom, and Tradition of ſo many hundred Years? Why do we complain of *Luther* and *Calvin*, and their Followers, but becauſe they expelled us, without being convicted, without ſentence given againſt us, by any Legal Judicature, out of the poſſeſſion of Articles of Faith, and Ceremonies we poſſeſſed for ſo many Centuries; in which we think to be as wrongfully dealt with, as any Noble man being diſpoſſeſſed of the Eſtate by his Anceſtors peaceably enjoyed, and by himſelf for 1671 Years, without ſentence pronounced againſt him in the Chancery, or any other Court. This

Argument of ancient Cuſtom and Tradition, hath maintained the SEE of *Rome* in its univerſal Prehemi-nency, and in the Faith it profeſ-ſeth; and conſiſteth of ſuch weight and ponderation, that even our Ad-verſaries do flinch from the Judi-cature of Scripture (peruſe the Book of Dr. *Roger Boyle*, now Pro-teſtant Biſhop of *Doune*; which Book, though it be not *mole* great, yet *virtute*, is to be preferred to many greater works) as ſubject, as all Laws, and Words, and Writings are to divers Interpretations and Equivocations; whereas the things are many, and the words are few, and endeavour to ground their Profeſſion on Cuſtom and Tradi-tion, and no more on the Scripture, as on a Judge, or on the private ſpirit of light, which every Fanatick pretends, though of quite contrary Tenents:

Tenents: And ſhall we endeavour to weaken this Pillar, by which the greateſt part, nay (I ſay) our whole Belief was, for a long time, ſupported. Twenty five years after Chriſt, there was not a word written, until St *Matthew* writ his Goſpel, and afterwards the reſt of the Evangeliſts. Shall we, I ſay, ſplit this Rock, which broke, and ſcattered ſo many violent Waves, which endeavoured to overflow our ancient Profeſſion, and that for a point of Juriſdiction. I do admire that a man well verſed in Philoſophy, Divinity and Hiſtories, would ſtrive to debilitate the ſtrongeſt Arm he hath, to defend his own Profeſſion; ſhould blunt the edge of that Sword, whereby he muſt cut ſo many Sophiſtical knots of his Adverſaries; but it is a doleful thing, That Paſſion ſhould alter the judg-

ments

ments of great men, as *Ariſtotle* ſaith in his Rhetoricks.

You will ſay, he hath alſo Arguments and Authorities for his own pretenſion, and againſt the ancient Cuſtom. Never ſo many as the *Arrians* had againſt the Divinity of Chriſt, or as the *Macedonians* had againſt the Divinity of the Holy Ghoſt: Yet ancient Cuſtom, and Tradition, have prevailed againſt their Attempts, though countenanced by Emperours and Princes; ſo that almoſt the whole groaning, *Admiratus eſt ſe eſſe Arianum:* And if there were ſuch Authorities and Reaſons for the Archbiſhop of *Dublin*, againſt the Primates Superiority, I do admire that in *Alexander Bicknors*, and *George Browns* time, they prevailed not againſt *Dowdall*; no, they did not prevail. And Queen *Mary*, not

ſatisfied

ſatisfied with annulling all that was done in King *Edward* the Sixth his name in that behalf, did re-eſtabliſh *George Dowdall*, and his Succeſſors, in their ancient Right of the Primacy, by a new Patent, dated in *March* in the firſt Year of her Reign.

And although this Reflection had ſufficed to ſhew, that there was no convincing Argument then for the Archbiſhop of *Dublin*'s unlawful Attempts (for I know no new Argument can be brought that was not extant in *George Dowdalls* time) yet all the Reaſons and Authorities (as far as I can ſearch) which may be produced in his favour, I will inſert here, and endeavour to reſolve them.

The firſt Authority the Archbiſhops of *Dublin* can claim for themſelves, which alſo was the occaſion

caſion of the ſubſequent Controverſies, is the Bull of *Lucius Tertius*, granted (as is pretended) to *John Comyn*, who was in *Velletrii* in *Italy* Conſecrated; the words of the pretended Bull are theſe: *Sacrorum quoque Canonum authoritatem ſequentes, ſtatuimus ut nullus Archiepiſcopus, vel Epiſcopus, abſque aſſenſu Dublinienſis Archiepiſcopi ſi in Epiſcopatu fuerit in Diœceſi Dublinienſi, conventus celebrare, cauſas & Eccleſiaſtica negotia ejuſdem Diœceſis, niſi per Romanum Pontificem, vel legatum ejus fuerit eidem injunctum, tractare præſumat.* That is to ſay, That no Archbiſhop or Biſhop have a meeting in the Dioceſe of *Dublin*, or decide Controverſies therein concerning the ſaid Dioceſe, without the conſent of the Archbiſhop of *Dublin*, or otherwiſe commanded by the Pope, or his

his Legate. This (as I ſaid) is the pretended priviledge which occaſioned the Controverſies and Striſes which continued until Queen *Maries* Reign, who determined this Variance, commanding that the old Cuſtom ſhould be obſerved.

Firſt, I anſwer to this Authority, that it doth not reſtrain in any wiſe the Primates power, but the Archbiſhops and Biſhops; for when there is a Cardinal, a Patriarch, or a Primate in any Kingdom, no Decree made againſt their Inferiours doth include them, unleſs they be particularly nominated according to the ſtile of *Rome*, and the uſual practice thereof, which is clear to all thoſe who are acquainted with the way of proceeding in *Rome* touching the like Affairs.

I anſwer *Secondly*, That though the Primate had been named in the aforeſaid Bull of *Lucius*, nevertheleſs the ſaid Bull might have been ſurreptitious, and by miſinformation obtained, *Tacita veritate, & ſuggeſta falſitate*: Neither was the Primate ſerved with any Citation that might render him vigilant to defend his ancient property and right; ſo that, *Non citata parte*, the Pope could not deprive him of the Prerogative of his SEE, according the *Gloſſa extra de dolo, & fallacia*; whereas the Primates had many other Grants from the Popes long before regularly, legally, and authentically paſſed to them, confirming their Prerogative; the ſubſequent Grants (if any had been obtained) are void, and of no effect, as well for the reaſon aforeſaid, as for that in the caſe; for *plures impe-*

impetrantes, qui prius mandatum Apoſtolicum reportavit, alteri ſilentium imponit; *ita Honorius Epiſcopo, & Archidiacono legionenſi prout refertur cap.* 30. *de reſcriptis*; which is alſo conformable to the common Axiom of the Civil Law, *Quod noſtrum eſt ſine facto noſtro ad alium transferri non poteſt.* And foraſmuch (as it was ſufficiently proved) that the Superiority of *Armagh* over all Archbiſhops of *Ireland*, is confirmed by a moſt ancient Cuſtom, it is not taken away by the Popes Conſtitution, *Conſuetudo ſpecialis in aliquo loco cepta non tollitur per Conſtitutionem Pontificiam ſequentem*, as you may read in the firſt Chapter *de Conſtitutione in ſexto.* For when the Pope doth paſs any ſuch Grant, his meaning muſt paſs with it, *Romanus Pontifex licet alicui privilegium concedat non*

vult ut eo utatur alienis injuriis, jactura, aut damno cap: licet de officio Judicis ordinar. and *Cap: ex tuarum de authoritate & uſu Pallii.* If it were otherwiſe, a gap ſhould be opened to ambitious Appetites, and to the vaſt Affections of unquiet Spirits, and who could ſhut it? what would remain certain in the Church, or Commonwealth? nothing, all would be variable, as Spring winds, or *Virgills* winds, *Qua data porta ruunt & terras turbine perflant.*

The ſecond Objection is, That the Archbiſhop of *Dublin* is a Primate as well as the Archbiſhop of *Armagh*; and that one Primate cannot have power or precedence over the other, and eſpecially in his own Dioceſe. That he is a Primate, they prove it by the deciſion made by *Innocentius Sextus*, between the Archbiſhop of *Armagh*, and

and *Dublin*: *Ut uterque eſſet Primas, ſed ad diſtincte ſcribendum Archiepiſcopus Armachanus intitularet ſe totius Hiberniæ Primatem, Metropolitanus autem Dublinienſis exararet ſe Hiberniæ Primatem, ad inſtar in Anglia Cantuarenſis, & Eboracenſis, quorum prior ſcribit ſe totius Angliæ Primatem, alter Angliæ Primatem.* Theſe words were read in *Rome* in the Popes ſecret Library, by *John Alan* Archbiſhop of *Dublin*, as he reported.

I anſwer to this Objection, That if the Archbiſhop of *Dublin* had the title of Primate, it is ſtrange; but there ſhould be ſome mention made of it in his Bull when he is elected (for if a title due to him was omitted in his Bull, the Bull ſeems void, and ſubreptitious) or in the priviledges granted to him, there is not the leaſt mention in either

either of them of the word Primate; in the Primates Bull it is expresly mentioned, and in his Priviledges granted him in a general Congregation before the Pope *Clement 9. Auguſt 1669. Facultates Conceſſæ à Sanctiſſimo* D. N. D. *Clemente divina Providentia Papa nono* R. P. D. *Oliverio Archiepiſcopo Armachano, ac Primati Regni Hiberniæ.* Let the Archbiſhop of *Dublin* ſhew ſuch words in his Bulls, or Priviledges, and then he may have ſome colour for his pretence.

I anſwer *Thirdly*, That there was diligence made in *Rome* by laborious erudite men, who make it their buſineſs to bring to light ancient Monuments, and they found no ſuch thing in the Records in the time of *Innocentius ſextus*. Father *Odericus Reynald*, an Oratorian of St. *Philip Nereus* Inſtitution, did follow

low on the Hiſtory of the Church after Cardinal *Barronius*, until the year 1500, and therein mentioned what the Popes did, and yet he makes no relation of any ſuch deciſion, which if it had been, it would not be omitted by ſuch a diligent Writer who had all the Records of the *Vatican*, and of all Libraries of *Rome* at his will; ſo that the ſaid deciſion of *Innocentius*, is Apocriphal, and of Straw; neither is *Alans* atteſtation a ſufficient proof for its validity, for two reaſons: Firſt, a Witneſs in his own proper cauſe, is not in any Tribunal accepted of as ſufficient evidence. Secondly, the ſaid *Alan* is repreſented in the Hiſtory as a turbulent, unquiet, deceitful perſon, in ſeveral reſpects, and eſpecially in betraying the houſe of *Kildare*, as you read in the Hiſtories of *Ireland*.

Moreover, it being againſt the Canon Law, it is not credible that the Popes would act againſt their own Canons publiſhed, and authorized in all Schools and Judicatures for deciding Controverſies, unleſs great neceſſity would urge them thereunto, and eſtabliſh contrary Decrees, and to no other end, but to ſatisfie the deſires of ambitious, and turbulent perſons: That it is contrary to the Canons, is eaſily proved out of the *Diſt.* 99. of *Gratianus.* In the ſecond Canon of the ſaid *Diſtinction*, we read theſe words of Pope *Anicetus ad Epiſcopos Galliæ. Nulli Archiepiſcopi Primates vocentur, niſi illi qui Primas tenent Civitates quarum Epiſcopos, Apoſtoli, & Succeſſores Apoſtolorum Regulariter Patriarchas, & Primates eſſe conſtituerunt*, &c. *reliqui vero qui aliæ Metropolitanas ſedes adepti ſunt,*

ſunt, non Primates ſed, Metropolitani nominentur. Farther, In the firſt Canon of the *ſaid Diſtinction*, Metropolitans muſt obey their Primates, and they muſt be under them. I ask now what Metropolitans are under *Dublin*, or do obey him? Certainly there are none in this Kingdom, and there never were: ſo that it is incredible, that the ſaid deciſion of *Innocent* be legal, or true, or that the Pope ſhould iſſue a Decree againſt the Canons, unleſs he were compelled thereunto by ſome apparent Neceſſity, or great advancement of Faith, or Manners.

In my Judgement, there may be an Equivocation in the word *PRIMATE*, for it may be common to many; but *res ſignificata per nomen*, is not altogether the ſame (*videlicet*) the Offices and

Juriſdiction which the word importeth, *Suſcipiunt enim magis & minus*; for the better declaration, and diſſolving of this Equivocation, or Riddle, I will add that which they know, who have read the Eccleſiaſtical Hiſtory.

There be ſome Primates of Provinces onely, and theſe have *Jus Metropoliticum*; ſo every Archbiſhop is Primate in his own Province.

The ſecond Council of *Carthage*, *Canon* 12. proveth what I aver: *Placet cunctis ut inconſulto Primate cujuſlibet Provinciæ nemo præſumat, licet cum multis Epiſcopis in quocunque loco ſine præcepto Epiſcopum ordinare.* Likewiſe when any Biſhop is accuſed, the Accuſer muſt bring the Cauſe before the Primate of the Province (that is to ſay) before his Archbiſhop or Metropolitan.

There

There be other Primates over whole Regions, or Countries, the name is alike in both; but this Equivocation makes them unequal for the great disparity in their Offices and Functions. The Primates over whole Kingdoms, have *Jus Metropoliticum*, as the Primats of Provinces, or Archbishops; but moreover they have *Jus Primaticum* besides over the former Metropolitans; and the Law giveth them such authority, *Debent ergo obedientiam Primatibus Archiepiscopi in omnibus, quæ fuerint eis justè imperata*, according to the *first Canon* of the abovementioned *Dist. 99. Canc. Chalced. Can. 16. Si quis vero putaverit se à proprio Metropolitano gravari apud Primatem Regni, aut apud Constantinopolitanæ Civitatis sedem agat negotium*; which Translation out of the Greek, is conformable

mable to the ancient Tranſlators of the Canons. *Juſtinianus* calleth him the Patriarch of the Dioceſe or County, whether he will call them Patriarchs with the Greek, or Primates with the Latin and Weſtern Churches. It appeareth by the Council of *Calcedon*, that ſuch Primates had authority over Archbiſhops, and their ſeveral Provinces were as Provinces of the Primate of the whole Countrey, whereby you may obſerve what kind of Primate is the Archbiſhop of *Dublin*, and what infirm ground he hath for his pretended Precedence: And moreover you may gather, that according to the Council of *Chalcedon*, *Leinſter* is the Primates Province as well as his, and the ſame you may ſay of *Caſhell* and *Tuam*.

In the like manner there were in *Affrick* ſix Primates of Provinces, but

but amongſt them he of *Carthage* onely wes Primate, or Patriarch of of the whole Region: Even ſo, though the Archbiſhops of *Dublin*, *Caſhell* and *Tuam* be Primates, yet they are of Provinces onely, and not of the whole Kingdom; and therefore the Catologues of the Biſhops and Archbiſhops of the whole World, *ex Archiviis Cancellariæ Apoſtolicæ*, reckoning up the four Metropolitans of *Ireland*, maketh *Armagh* and him onely to be the Primate. In like manner *Azorius* writing the Names of all Primates in our Weſtern Church, *Part* 2. *Lib.* 3. *Inſtit. Moralium. cap.* 31. Beginneth with *Spain*, *Toletanus Hiſpaniæ Primas*; next *Armachanus Hiberniæ Primas*. *Barboſa de poteſtate & Juriſdict. Epiſcopi.* Diſcourſeth alſo of all the certain and undoubted Primates of *Europe*, and

nei-

neither the one or the other doth make mention of the Archbiſhop of *Dublin*, whom they would not have omitted, if he had been reputed a Primate of a Region; he aſſumeth the ſtile and title, and ſo doth *Caſhell* and *Tuam*, yet they derive no right of Precedence that way, but give it to the Primate everywhere, even in their own Dioceſſes too.

But let us grant or ſuppoſe that the aforeſaid deciſion of *Innocent* were true, and ſpeak with the Schools, *Tranſeat*, what can be inferred thence? Nothing as to the point of Juriſdiction or Superiority which the Primates Predeceſſors had. It is not mentioned in the ſaid deciſion, that there ſhould not be Appeals made from the SEE of *Dublin* to *Armagh*; and if he were negligent in the deciſions of Con-

Controverſies, that the Primate ſhould not bring them to his own Tribunal; there is no prohibition of viſiting him according to the ancient Cuſtom. It is not forbidden by the ſaid Decree, that he ſhould carry his Croſs in *Dublin* before him; there is not a ſyllable of theſe Affairs, which are never eſteemed to be recalled by the Pope, unleſs they make expreſs literal mention of them, or inſert theſe words in his Decree *Non obſtantibus quibuſcunq; privilegiis conſuetudinibus*, &c. And if there was any grant of his Predeceſſors, he uſeth to name that Predeceſſor, and the firſt word of the Bull or Grant; ſo that if there was any ſuch (as there was not) it is to be deemed ſurreptitious, and by no regular, authentical, or legal way procured, and obtained: It being not only contrary to Law and an-

cient Cuſtom, but alſo is expreſly contrary to Priviledges and Preheminencies formerly granted and confirmed by the See Apoſtolick.

The third Objection may be, That it is fit the Archbiſhop of *Dublin* ſhould be Primate, whereas the *Lord Lieutenant*, and the reſt who govern, and decide all cauſes and matters of the Kingdom, do reſide in *Dublin*, and is honoured with the whole Concourſe of the *Nobility* and *Gentry* in ſeveral ſeaſons of the Year; and contrariwiſe, *Armagh* is but a poor Town, and ſcarce fit for the habitation of the meaneſt Nobleman in the Realm.

I anſwer, That ſuch were the Motives of the Patriarchs of *Conſtantinople*, which when *Conſtantine* went to inhabit, as a convenient place to govern the Orient, and

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the Weſt, it had onely a Biſhop; and as in the Acts of the Council of *Neece*, and in ſeveral other Hiſtorians you may Read, He was called *Epiſcopus Bizantinus*, the very place being named *Bizantium*; after ſome time, it was from a Biſhoprick, declared a Patriarchal SEE. It was not content with that, but muſt have precedence from the Patriarchs of *Antioch* and *Alexandria*; and to ſuch Temerity and Ambition they aſpired, That in proceſs of time, they conteſted with the very Popes of *Rome*, though it was very clear, that *Athanaſius* and *Chryſoſtom* themſelves, being wrong'd, did appeal unto *Rome*; which Conteſtation with *Rome*, was at laſt (for the moſt part) the occaſion of their Ruine: *Si licet exemplis in parvis grandibus uti*; ſuch is and was the pretence and aim of the

Archbiſhop of *Dublin*, though hitherto without any effect.

If it had been fit that the Primacy ſhould be annexed to the Archbiſhoprick of *Dublin*, it is ſtrange; but Queen *Elizabeth*, and her Succeſſors, imitated the change made in King *Edward* the Sixths time, in this point, as they have done in many other matters, they have not; but ſtood *mordicus* to the ancient Cuſtom, and to what Queen *Mary* declared by Cardinal *Poles* aſſiſtance in this matter, which is a manifeſt ſign that there were but weak Arguments for the SEE of *Dublins* pretence; and that there was firm ground for the Archbiſhop of *Armaghs* Right, even as the *School Divines* ſay, That when St. *Thomas* and *Scotus* agree in a Theological Concluſion, it is a ſtrong and evident ſign that the Concluſion

ſion hath impregnable Arguments for its Truth.

Finally, You may object what Dr. *Linch* writeth in his Book, Intituled *Alithinologia*, fol 71. where he ſaith, That the Primats do not now enjoy the ſame Superiority and Juriſdiction over the Archbiſhops and Clergy of *Ireland* they had in ancient times, his words are theſe: *Quare alii Hiberniæ Metropolitani, nullam poteſtatem à Primate mutuati, ſuas per ſe Provincias, more cæterarum totius Eccleſiæ Provinciarum adminiſtrant, nec aliud obſequium Primati præter priorem in inceſſu & conceſſu locum, cauſarumque cognitione per viam appellationis (ut dicitur) deferunt.*

You ſee this Authors Opinion, who will not allow any other Prerogative or Juriſdiction to be now in the Primats, then Precedency in Pro-

ceſſions and Seſſions, and the deciſion of Cauſes and Controverſies, which, by way of Appeal, are brought from the other Archbiſhops Courts, to the Primates Conſiſtory. We may thank him for leaving the Primate theſe two Prerogatives; it is well his Maſterſhip doth not deprive the Primate (as ſome do endeavour to do) of all Preheminencies: He might with as much reaſon and authority have granted the Primats power of viſiting other Provinces, as of receiving Appeals from them, if he had peruſed the Regiſtry of *Armagh*; and that he may be the better ſatisfied of this Truth, let him read the ſaid Regiſtry, and he will find that the Province of *Tuam* (of which he is a Native) was viſited by the Primats, for in the year 1458, *John*, Archbiſhop of *Armagh*, viſited *Donatus*

natus Archbiſhop of *Tuam*, and all his Suffragans.

Yet if you will turn the Leaf, you ſhall find that Dr. *Linch* doth not deal ſo liberally with the Primate, for he reſtrains and diminiſheth one of the ſaid two Prerogatives, he was pleaſed to allow him, and will not grant him Precedency in all places in *Ireland*, that is to ſay, in *Dublin:* And for the proof thereof, he brings out of a Parliament Book (as he ſaith) theſe words: *In Hibernia Rex ſedebit in medio Principalis Scamni, & ad ejus dexteram Archiepiſcopus locì Armachanus vel Dublinienſis; & ſi extra eorum limites ſit, tum à dexteris Regis Armachanus & Caſtellenſis; à ſiniſtris vero Dublinienſis & Tuamenſis.* So that if the Parliament be kept in *Armagh*, the Primate will ſit on the Kings right hand, and the Arch-

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Archbiſhop of *Dublin* on his left hand. If the Parliament be held in *Dublin*, the Archbiſhop of *Dublin* will be on the Kings right hand, and the Archbiſhop of *Armagh* on his left hand. If the Parliament be kept at *Caſhell*, the Archbiſhop of *Armagh* and *Caſhell* will be at the Kings right hand; and the Archbiſhops of *Dublin* and *Tuam* on his left ſide.

Unleſſe I am deceived, this Authours Diſcourſe, doth rather confirm the PRIMATS Prehemineney; and what he alledgeth out of the ſaid Parliament Book, is of no value or weight, if we conſider well what he writes, and the ſaid Parliament Book he cites. Where, or in what City or Town was this Parliament held? In whoſe Kings Reign? In what year of our Lord? Where ſhall we find this Parliament

Book

Book he remits us unto? Are the aforeſaid words written in the inſide, or on the back of the ſaid Parliament Book? Dr. *Linch* omits all theſe Circumſtances, which are very material to gain Credit to an Act or Decree of Parliament. Let us moreover demand of him, Was this Parliament held after King *Henry* the Seconds Reign? Was this Parliament kept in the Reigns of the ſeveral *Iriſh* Kings, who divided the Kingdom amongſt themſelves? He ought to have cleared theſe points, if deſirous any Credit ſhould be given to his Parliament Book.

If he will anſwer, That the ſaid Parliament was kept in King *Henry* the ſecond's, or in his Succeſſors Reigns, we will eaſily ſhew, that the order or manner of ſitting in Parliaments, is not, as Dr. *Linch*'s Parliament Book teacheth us; for in

all Parliaments held from King *Henry* the Second's Reign, to this day, no Archbiſhop ſits on the left hand of the Royal Throne; whereas all the Archbiſhops and Biſhops do ſubſequently one to the other, according to their Dignity, ſit on the right hand of the ſaid Royal Throne. In the firſt place, the Primate ſits; in the ſecond place, the Archbiſhop of *Dublin*; next him, the Archbiſhop of *Caſhell*; in the fourth place, the Archbiſhop of *Tuam*; and after them the Biſhop of *Meath*, who as firſt Suffragan unto the Primate, takes place of all the other Biſhops: *Propter quod, unumquodque tale, & illud magis.* Whereby you may collect, That the ſaid Act of Parliament hath no colour of Truth, and is to be deemed Apocriphal, and *ad perpetuam rei memoriam*, you may put over it this Title, or Motto, *Palea*,

lea, which is given unto many Canons in *Gratians* Decrees.

Further, You may ſee how inconſequently (in my opinion) Dr. *Linch* diſcourſeth; he acknowledgeth the Primat's Power and Juriſdiction in receiving Appeals from all the other Metropolitan Courts; How can he therefore deny Precedency to the Primate in *Dublin*, he being by the ſaid Doctor, acknowledged the Archbiſhop of *Dublin*'s Superiour? for none Appeals, but from an Inferiour, to a Superiour: *Appellatio eſt, receſſio à minore Judice, per invocationem majoris Judicis l. perfecti ff de minoribus.*

Now to draw towards a Concluſion from what hath been hitherto by me ſet forth, you may firſt Infer, That from St. *Patrick's* fixing of the Primatial SEE in *Armagh* in the Year 455, until Cardinal *Papa-*

ro's Synod kept at *Kells* in the Year 1152 (though there was another Metropolitan SEE erected by *Celſus*, many Years before the ſaid Synod) you may (I ſay) Infer, That for the ſpace of 697 Years, the ſaid Archbiſhop, and all Biſhops of *Ireland*, gave punctual Obedience to the Archbiſhop of *Armagh*, and he onely commanded, and governed all, as St. *Bernard* ſaith, *Ipſe unus omnibus præfuit.*

Secondly, That from Cardinal *Paparo*'s Synod held at *Kells*, in which Synod the ſaid Cardinal granted to the SEE of *Dublin*, the Dignity of an Archbiſhoprick, and the Pall (for before *Dublin* was onely a Biſhoprick) all the Archbiſhops of *Dublin* have peaceably acknowledged the Primat's Superiority and Prerogatives, without any Conteſtation, until *John Leach* ſtri-

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ved to hinder the Primate to carry his Croſs before him in *Leinſter*.

Thirdly, That though *John Leach*, and his Succeſſors in the SEE of *Dublin* (to wit) *Alexander Bicknor*, *Thomas Minot* and *George Browne*, have endeavoured to withdraw themſelves from the Primat's Juriſdiction, yet they laboured to little, or no effect, as you may ſee by Queen *Mary's* Act and Declaration abovementioned.

Fourthly, That Queen *Elizabeth*, and her Succeſſors, being well informed of the Primat's ancient and undoubted Right, have imitated Queen *Mary*, and all her Predeceſſors (except King *Edward* the *6th*) in maintaining and upholding the Preheminency of the SEE of *Armagh*, in the perſons of the Proteſtant Primates elected by them, who have Precedency from all the Pro-

Proteſtant Archbiſhops everywhere in *Ireland*, both in private and publick Meetings. And moreover, the ſaid Primates have their Conſiſtory in the very Metropolitan Cathedral SEE of *Dublin*, and have Precedency from the Proteſtant Archbiſhops of *Dublin* in the Cathedrals of *Dublin*, to wit, in *Chriſt-Church*, and St. *Patrick's*.

Fifthly, That if ſeveral Popes Bulls, many Kings Declarations and Patents; if the common Senſe and notion rooted in the hearts of all the Men, Women and Children of *Ireland*, who do call onely the Archbiſhop of *Armagh* Primate; if old Cuſtom, Preſcription and Tradition of 1217 Years, can afford any juſt Title or Right, the Primates have as much Right to Superiority, and Preheminency over all the Archbiſhops of *Ireland*, as any Emperor, King,

King, Prince or Republick, hath to exerciſe Juriſdiction in the Kingdoms or Commonwealths at preſent which they enjoy and govern; and therefore the Primate had been guilty of breach of Truſt, of betraying his Succeſſors, of prejudicing the Charge and Dignity conferred on him, if he had been weak or backward in defending and upholding (as his Predeceſſors have done for the ſpace of 1200 and odd Years) the Superiority and Preheminency of the SEE of *Armagh*, founded by St. *Patrick*, eſtabliſhed not onely by Teſtimonial, but alſo Judicial Tradition.

Sixthly, You may Infer, That the Erection of a Primatial SEE, and of a Primate, who ſhould govern, and have Superiority over all the Clergy of *Ireland*, was moſt rational, and conformable to natural reaſon, and good

good Government; whereas we ſee, that in each Houſe there is one Head of a Family, in each City a Mayor or Prætor, in each Province a Preſident or Governor, and in each Kingdom a King, or Vice Roy, who commands all the other Preſidents, Governours, and Mayors; for all good order hath reference to one: *Omnis ordo reducitur ad unum*: And as *Ariſtotle* ſaith in the end of the Twelfth Book of his Metaphyſicks, *Entia nolunt male gubernari, non eſt bona pluralitas Principatuum, unus ergo Princeps*; which noble Argument is well becoming the Pen of ſo eminent a Wit, ſo great and renowned a Philoſopher.

And yet to conclude more particularly and expreſly my Undertaking, the ingenious acknowledgment of a perſon, whoſe Intereſt would have oblieged him to maintain

tain the contrary of what I ſay, ſhall be the *Epiphonema* of this Treatiſe; to wit, the words of *David Rooth*, a judicious and learned perſon, a Native of the Province of *Leinſter*, and Biſhop of *Oſſory*, and in that reſpect a Suffragan of the Archbiſhop of *Dublin*, whoſe judgment and poſitive determination, in his Book Intituled, *Analecta de Rebus Catholicorum in Hibernia*, Art. 6. Pag. 228. followeth *in hæc verba: Jure & uſu olim receptiſſimo, Archiepiſcopus Armachanus, quolibet ſeptennio viſitabat* totum Regnum, *cæteroſque Metropolitanos ad ſuum Tribunal evocabat, judicabat, & lites cauſaſque graviores devolutione, appellatione, aliiſque juris præeminentiis, aut facti remediis terminabat Primatiali Authoritate; unde & ipſe quemadmodum Metropolitanorum Primas, ita Metropolitanus totius Hiber-*

niæ, à Divo Bernardo dictus eſt. Hence it is apparent, That unleſs the Archbiſhop of *Dublin* will exempt his Province from the Kingdom of *IRELAND*, as well as himſelf from the Juriſdiction of the Primatial SEE of *ARMAGH*, he muſt either ſubmit to Viſitations, *&c.* or fall under the Reprehenſion of the ſaid Biſhop of *Oſſory*, in his 230 *page*, to wit, *Ut appareat quam longe recedant minores à veſtigiis ſuorum majorum, Armachana Eccleſia beati Patritii ſedes, in qua & vivens ſedebat, & mortuus requieſcebat (teſte Bernardo) ipſa cum ſit proprius totius Primatiæ locus (ita loquitur Gyraldus) nunc velis & remis quam ſtrenuiſſime laboratur ut primæva illius dignitas ſupplantetur*; which endeavours and attempts, as hitherto they could not prevail, ſo (it is hoped) that they ſhall

C. 7. Vita Mal.

Topog. D. 2. c. 50.

ſhall have no effect for the future, to prejudice the Preheminency of that Ancient and moſt Illuſtrious SEE in it's Superiority over all other Archbiſhopricks in this Kingdom of *IRELAND.*

FINIS.

ERRATA.

IN the Epiſtle to the Reader, page 1. line 2. blot out the word *my*. p. 3. l. 20. for *tacuitatis*, read *vacuitatis*.

At the beginning of the Book, page 1. line 2. after *the*, add *ſaid*. p. 7. l. 20. for *had* r. *hath*. p. 11. 12. & 29. for *Parparo* r. *Paparo*. p. 14. l. 5. for *his own SEE* r. *the SEE*. p. 15. l. 18. for *Scaulain* r. *Scanlain*. p. 25. l. 19. for *Cutorie* r. *Tutorie*. p. 27. l. 7. for *loſs* r. *toſs*. & ibid. l. 10. for *rates* r. *ratis*. p. 35. l. 15. for *Beringorius* r. *Beringarius*. p. 36. l. 20. blot out *es*. p. 40. l. 14. after *whole* add *world*. p. 44. l. 23. after *for* add *when there are*, p. 45. l. 26. for *Cepta* r. *Recepta*. p. 47. l. 21. for *ſubreptitious* r. *ſurreptitious*. p. 50. l. 23. for *aliae* r. *alias*. p. 59. l. 22. for *in parvis* r. *in parvo*. p. 61. l. 12. for *cognitione* r. *cognitionem*. p. 63. l. 19. for *Caſtellenſis* r. *Caſſellenſis*.

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